

State of California
Business, Transportation and Housing Agency
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS
Resolutions of Necessity
Action Item

Prepared By:
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Division of Right of Way
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CTC Meeting: July 18, 2002

Reference No.: 2.4b.(1)

Original Signed by:
ROBERT L. GARCIA
Chief Financial Officer
July 1, 2002

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18588 through C-18600. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18588 - Tim R. Kuhn

02-Teh-99-PM 12.6-13.2- Parcel 12800 - EA 37770 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, a temporary easement for Highway Construction, located in the Town of Los Molinos at State Highway 99. APN 78-380-59.

C-18589 - Howard R. Kuhn

02-Teh-99-PM 13.0- Parcel 12803 - EA 37770 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the Town of Los Molinos at State Highway 99.

C-18590 - GMS Five LLC

05-Mon-101-KP 153.8 (PM 95.6) - Parcel 5897-1 - EA 016179 (Freeway) Amends Resolution No. C-17896, adopted November 3, 1999, which authorized condemnation of a permanent easement for access and utility purposes, easements for access and utility purposes to be conveyed to Gloria J. Morton. This Amendment Necessary to condemn the lender's interest in a road and utility easement in order to convey clear title to the dominant tenant.

C-18591 - Francisco and Maria Garcia

05-SLO-001-KP 8.29 (PM 15.5)-Parcel 7916-1-EA 412801 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located near the unincorporated area of Nipomo at Corner of Willow Road and Highway 001.

C-18592 - Catalina V. Lagos

06-Tul-99-KP 65.42/65.44 (PM 40.6/40.7) - Parcel 84824 - EA 455509 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Goshen, California at the southeast corner of Avenue 308 and Dollarhide Road on the east side of Freeway 99.

C-18593 - Manuel Santana, et al.

07-LA-126-PM 11.63-Parcel No. 76810-EA 3N6609 (Conventional Highway) Authorizes condemnation of the extinguishment of all easement of ingress and egress , located in the city of Santa Clarita at 23655 San Fernando Road.

C-18594 - Clarinda C. Smith, et al.

08-SBd-30-PM R31.4/R31.6- Parcel 18306-1,2 - EA 433109 (Freeway) Authorizes condemnation of a temporary easement for highway construction purposes, a permanent easement for drainage purposes, located in the city of Redlands near North of Pioneer Avenue, West of Texas Street.

C-18595 - Rossmore Enterprises, et al.

08-SBd-30-PM R31.6/R31.8- Parcel 18307-1 - EA 433109 (Freeway) Authorizes condemnation of a temporary easement for highway construction, located in the city of Redlands near North of Pioneer Avenue, West of Texas Street.

C-18596 - Steven K. Souza and Pamela K. Souza

10-SJ-120-KP 15.8- Parcel 14292 - EA 0A7409 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the city of Ripon at 15051 E. State Route 120, Ripon, CA 95366.

C-18597 - Roman Catholic Bishop of Stockton, et al.

10-SJ-120-KP 20.5 (PM 12.7) - Parcel 14333 - EA 0A7409 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located near the city of Ripon at 19399 East Highway 120, Ripon, CA 95366.

C-18598 - David E. & Mary C. Gallo, Trustees, et ux

10-SJ-120-KP 22.1- Parcel 14340 - EA 0A7409 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located near the city of Escalon at 17929 S. Van Allen Road.

C-18599 - Anthony J. Fares, et ux

11-SD-125-KP 15.3- Parcel 32141 - EA 003009 (Freeway) Authorizes condemnation of land in fee for a State highway, excess land in fee to which the owner has consented, located in the unincorporated area of Bonita at 6637 San Miguel Road, Bonita, CA.

C-18600-Jacques and Henriette d'Arlin

12-Ora-90-PM 3.6- Parcel 102198-1,2 - EA 0E5809 (Conventional Highway) Authorizes condemnation of a temporary easement for highway purposes, a permanent easement for highway purposes, located in the city of La Habra at 601 E. Imperial Highway.